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EXAMINER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/729,362	CHEN ET AL.	
	Examiner	Art Unit	
	SAIF A. ALHIJA	2128	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 May 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,5,6,8-10,12-15,21-25 and 28-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,5,6,8-10,12-15,21-25 and 28-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *04 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1, 5, 6, 8-10, 12-15, 21-25 and 28-30 have been presented for examination.

Claims 2-4, 7, 11, 16-20, and 26-27 have been cancelled.

Response to Arguments

2. Applicant's arguments filed 27 May 2008 have been fully considered but they are not persuasive.

NON-PRIOR ART ARGUMENTS

i) The Examiner withdraws the 101 rejection of the claims in view of Applicants amendments.

PRIOR ART ARGUMENTS

ii) Applicants arguments with respect to claims 1, 5-6, and 8-10 are moot in view of the new grounds of rejection presented in this office action. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

iii) The Examiner notes that Applicants have primarily argued the amended limitations of claim 1. These arguments are moot as per the preceding statement. Only specific arguments presented with respect to claims 12-15, 21-25, and 28-30 will be addressed by the Examiner.

iv) Applicants argue that "**data collection modules are not user interface modules, but are modules for collecting performance data about or from an actual real time system.**" Applicants then cite a portion of the specification which states **"a predefined data collection modules may include ...." (Emphasis added)** First the Examiner notes that this citation does not represent an explicit definition of the term "data collection module" but merely a listing of examples of modules. Second, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., alleged definition of data collection module) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). This further applies to Applicants citation of **"user defined collection module may be written..." (Emphasis added)** Applicants further state that the references in combination do not teach the possibility of alternate data collection. However as can been in **Woodbury** page 219 TASKi, the reference teaches reading external sensor data and internal data. These represent alternate data collection

mechanisms. Further paragraph 26 of **Stewart** recites topology and workload data. These present another example of alternate data collections. Therefore the rejection is maintained.

v) Applicants argue that the references do not teach **"gathering an identifier for a data and model flow" as per claim 12** and **"utilizing a measurement (omitted by Applicants) software class configured to dynamically populate a measurement object in response to a polling inquiry from an instance of a run-time manager software class" as per claim 21.** First, the Examiner notes that Applicant's arguments are unpersuasive because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. Applicant's arguments further are unpersuasive because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. Further, they do not show how the amendments avoid such references or objections.

However in the interests of compact prosecution the Examiner points out that it is unclear what meaning Applicants attribute to gathering an identifier that is not present in the cited prior art. Applicants appear to be imparting limitations into the recited claims that are not explicitly recited and in view of the broadest reasonable interpretation of the claim language see Stewart Figure 3, elements 302 and 306. As per the dynamic polling as stated previously by the Examiner **the Stewart reference does not explicitly disclose dynamically populating the data through polling of a computer system. The Examiner notes that this distinction lies only in that Stewart utilizes data gathered from a system which is then simulated and then the simulation of the system is modeled and analyzed rather than as Applicants have argued gathering data directly from an actual system. However Woodbury teaches, on page 216 left column, the workload of a real-time system which is then analyzed through polling, Section III.** Applicants argue that there is no motivation to combine the references however in view of **KSR, 550 U.S.at ___, 82 USPQ2d at 1391 which reads "The Supreme Court further stated that: When a work is available in one field of endeavor, design incentives and other market forces can prompt variations of it, either in the same field or a different one. If a person of ordinary skill can implement a predictable variation, § 103 likely bars its patentability. For the same reason, if a technique has been used to improve one device, and a person of ordinary skill in the art would recognize that it would improve similar devices in the same way, using the technique is obvious unless its actual application is beyond his or her skill. Id. at ___, 82**

USPQ2d at 1396." (Emphasis added) The Examiner cannot see how a person of ordinary skill in the art would lack the skill to combine the references nor can the Examiner see how the resultant of the claims would be beyond the skill of one of ordinary skill in the art. Applicants arguments that combination would render the invention useless is unsubstantiated since as per the Examiners motivation statement the only work/design incentive gleaned from Woodbury was the polling of a real time system. Therefore the rejections are maintained.

EXAMINERS NOTE

vi) Examiner has cited particular columns and line numbers in the references applied to the claims for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in their entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

vii) The Examiner respectfully requests, in the event the Applicants choose to amend or add new claims, that such claims and their limitations be directly mapped to the specification, which provides support for the subject matter. This will assist in expediting compact prosecution.

viii) Further, the Examiner respectfully encourages Applicants to direct the specificity of their response with regards to this office action to the broadest reasonable interpretation of the claims as presented. This will avoid issues that would delay prosecution such as limitations not explicitly presented in the claims, intended use statements that carry no patentable weight, mere allegations of patentability, and novelty that is not clearly expressed.

PRIORITY

3. Acknowledgment is made of applicant's claim for priority to provisional application 60/510833 filed on 14 October 2003.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claim(s) 1, 5-6, and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Papaefstathiou, "Design of a Performance Technology Infrastructure to Support the Construction of Responsive Software", hereafter P,** in view of **Woodbury et al., "Performance Modeling and Measurement of Real-Time Multiprocessors with Time-Shared Buses", hereafter Woodbury.**

Regarding Claim 1:

P discloses A method to model and analyze a plurality of computing workloads, the method comprising:

specifying a data and model flow for analyzing the performance of a computer system by selecting at least two computer system workload models **(P. Page 98, Table 1, "Model")** from the group consisting of a workload prediction model, a performance analysis model, an optimization model, and a user-defined model, **(P. Page 98, Table 1, Source)** and specifying an order in which the models are to be executed, **(P. Page 99, Top Left, "ordering dependencies")** the output data of at least one model serving as input data to at least one other distinct model, the data and model flow further specifying one of a predefined data collection module and a user defined data collection module to be used for collecting performance data; **(P.**

Abstract. "PTI components interact with XML scripts based on the syntax of predefined schemas that can be extended to include the requirements of new components incorporated into the system.")

dynamically populating a measurement object in response to a polling inquiry from a modeling module, the populated measurement object comprising updated performance data associated with the operation of a computer system, the performance data gathered during operation of the computing workloads by one of a predefined data collection module and a user defined data collection module as specified by the data and model flow, the computer system comprising at least one physical processor and physical storage, the computer system executing a plurality of computing workloads; **(P. Section 2, paragraph 3, "control flow information")**

executing the plurality of models by using the gathered performance data as an input to at least one of the models wherein output data from at least one of the models serves as input data to at least one other model, and wherein the plurality of models are executed in the order defined by the specified data and model flow, **(P. Figure 1, Evaluation Engine and Model interfaces)**

presenting analysis data compiled from the modeling module. **(P. Figures 7-9 representing resultant graphical representation of analysis)**

P does not explicitly disclose real time polling.

However, Woodbury teaches, on page 216 left column, the workload of a real-time system which is then analyzed through polling, Section III.

The real time gathering of data can be seen in Woodbury and the analysis framework can be seen in P in the cited sections above.

It would have been obvious to one of ordinary skill in the art at the time of the invention to gather data from an actual system in real-time, as discussed in Woodbury, for the analysis in P in order to monitor an actual system as it runs.

Regarding Claim 5:

The reference discloses The method of claim 1, wherein specifying a data and model flow is integrated within a predefined user interface. **(P. Abstract. "PTI components interact with XML scripts based on the**

syntax of predefined schemas that can be extended to include the requirements of new components incorporated into the system.")

Regarding Claim 6:

The reference discloses The method of claim 1, wherein specifying a data and model flow is integrated within a third party application**. (P. Abstract, "third party hardware models")**

Regarding Claim 8:

The reference discloses The method of claim 1, wherein the modeling module is further configured to execute a plurality of models in parallel. **(P. "Section 5 includes some results and observations obtained by the predictive system from parallel application running on a PC cluster.")**

Regarding Claim 9:

The reference discloses The method of claim 1, further comprising implementing the predefined data and model flow at least in part by defining a workload software object from a persistent data structure, the workload software object comprising parameters for gathering performance data, executing the modeling module, and presenting analysis data. **(P. Page 98, "The system and model configuration are determined in the Hardware and Model Configuration (HMC) database." Page 100, "RUD definitions are stored in the RUD database, a file written in the XML-Data language.")**

Regarding Claim 10:

The reference discloses The method of claim 1, further comprising utilizing an editor configured to allow a user to define and store the predefined data and model flow. **(P. Page 99, SPA, "SPAs translate the application source code to a notation that captures the application control flow and the frequency of operations performed.")**

5. Claims 12-15, 21-25, and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Stewart et al. "Modular Architecture for Optimizing a Configuration of a Computer System", U.S. Patent Application No. 2003/0208284,** hereafter referred to as **Stewart** in view of **Woodbury et al., "Performance Modeling and Measurement of Real-Time Multiprocessors with Time-Shared Buses", hereafter Woodbury.**

Regarding Claim 12:

The reference discloses A method for utilizing a software editor for defining, revising, and storing a data and model flow for modeling and analyzing a plurality of computing workloads, the method comprising:

gathering an identifier for a data and model flow;

designating a data collection module configured to dynamically populate a measurement object in response to a polling inquiry from a modeling module, the measurement object comprising updated performance data associated with the operation of a computer system, the computer system comprising at least one physical processor and physical storage, the computer system executing a plurality of computing workloads;

wherein the modeling module designates a plurality of models that use the updated performance data

wherein the modeling module is further configured such that output data from a first model serves as input data for a second model in a hierarchy of models;

utilizing a metric map for defining model variables required to analyze analysis data compiled from the at least one model;

utilizing a plot module for designating a data analysis module configured to present analysis data compiled from the at least one model.

The Stewart reference discloses data collection (Abstract), gathering performance data (Paragraph 19-21), data analysis (Paragraph 19-21) as well as a framework to manage the data collection (Figure 3, and its corresponding description).

The Stewart reference does not explicitly disclose dynamically populating the data through polling of a computer system. The Examiner notes that this distinction lies only in that Stewart utilizes data gathered from a system which is then simulated and then the simulation of the system is

modeled and analyzed rather than as Applicants have argued gathering data directly from an actual system.

Woodbury teaches, on page 216 left column, the workload of a real-time system which is then analyzed through polling, Section III.

Woodbury further teaches the data analysis and modeling in Section IV, Experimental Workloads, B-C.

The real time gathering of data can be seen in Woodbury and the analysis framework can be seen in Stewart in the cited sections above.

It would have been obvious to one of ordinary skill in the art at the time of the invention to gather data from an actual system in real-time, as discussed in Woodbury, for the analysis in Stewart in order to monitor an actual system as it runs.

Stewart in view of Woodbury do not explicitly disclose a "plot module."

It would have been obvious to one of ordinary skill in the art at the time of the invention to graphically plot the result data provided by **Stewart** in order to allow for user simplicity.

Regarding Claim 13:

The reference discloses The method of claim 12, further comprising utilizing a storage module configured to store and retrieve the data and model flow from a persistent data structure. **(Stewart. Paragraph 114. Page 3, Problem Spec Sample)**

Regarding Claim 14:

The reference discloses The method of claim 13, wherein the persistent data structure comprises an eXtensible Markup Language (XML) file. **(Stewart. Paragraph 114. Page 3, Problem Spec Sample)**

Regarding Claim 15:

The reference discloses The method of claim 13, wherein the persistent data structure comprises a

database. **(Stewart. Paragraph 9)**

Regarding Claim 21:

The reference discloses A method for implementing an application programming interface (API) for modeling and analyzing of computing workloads, comprising:

utilizing a measurement software class configured to dynamically populate a measurement object in response to a polling inquiry from an instance of a run-time manager software class, the measurement object comprising updated performance data associated with the operation of a computer system, the computer system comprising at least one physical processor and physical storage, the computer system executing a plurality of computing workloads;

utilizing a workload software class that defines a data and model flow associated with the computer system, the workload software class comprising two or more model software classes that utilize the gathered performance data to model attributes of the computer system wherein the output data from a first model serves as input data for a second model in a hierarchy of models; and

wherein the run-time manager software class is configured to periodically poll for measurement objects instantiated from the measurement software class and execute one or more model objects instantiated from the one or more model software classes in response to the data and model flow defined by one or more workload objects

The Stewart reference discloses data collection (Abstract), gathering performance data (Paragraph 19-21), data analysis (Paragraph 19-21) as well as a framework to manage the data collection (Figure 3, and its corresponding description).

The Stewart reference does not explicitly disclose dynamically populating the data through polling of a computer system. The Examiner notes that this distinction lies only in that Stewart utilizes data gathered from a system which is then simulated and then the simulation of the system is modeled and analyzed rather than as Applicants have argued gathering data directly from an actual system.

Woodbury teaches, on page 216 left column, the workload of a real-time system which is then analyzed through polling, Section III.

Woodbury further teaches the data analysis and modeling in Section IV, Experimental Workloads, B-C.

The real time gathering of data can be seen in Woodbury and the analysis framework can be seen in Stewart in the cited sections above.

It would have been obvious to one of ordinary skill in the art at the time of the invention to gather data from an actual system in real-time, as discussed in Woodbury, for the analysis in Stewart in order to monitor an actual system as it runs.

Regarding Claim 22:

Stewart discloses The method of claim 21, further comprising utilizing a real-time interface module configured to start and stop execution of one or more workload objects. **(Stewart. Page 3, Problem Spec Sample. Figure 3 and its corresponding description)**

Regarding Claim 23:

The reference discloses the analysis data associated with a specific workload object identified by a user. **(Stewart. Page 3, Problem Spec Sample. Figure 3 and its corresponding description)**

Stewart does not explicitly disclose The computer program product of claim 21, wherein the interface is further configured to present analysis data compiled by a plot object instantiated from a plot class.

However, it would have been obvious to one of ordinary skill in the art to graphically plot the result data provided by **Stewart** in order to allow for user simplicity.

Regarding Claim 24:

The reference discloses A method for modeling and analyzing a plurality of computing workloads the method comprising:

dynamically populating a measurement object in response to a polling inquiry from a modeling module, the measurement object comprising updated performance data associated with the operation of a computer system the

computer system comprising at least one physical processor and physical storage, the computer system executing a plurality of computing workloads;

executing a plurality of models that use the gathered performance data wherein the modeling module is further configured such that output data from a first model serves as input data for a second model in a hierarchy of models; presenting analysis data compiled from the at least one model; and

providing a framework configured to manage the gathering of performance data, the execution of the at least one model, and the presentation of the analysis data in response to a predefined data and model flow.

The Stewart reference discloses data collection (Abstract), gathering performance data (Paragraph 19-21), data analysis (Paragraph 19-21) as well as a framework to manage the data collection (Figure 3, and its corresponding description).

The Stewart reference does not explicitly disclose dynamically populating the data through polling of a computer system. The Examiner notes that this distinction lies only in that Stewart utilizes data gathered from a system which is then simulated and then the simulation of the system is modeled and analyzed rather than as Applicants have argued gathering data directly from an actual system.

Woodbury teaches, on page 216 left column, the workload of a real-time system which is then analyzed through polling, Section III.

Woodbury further teaches the data analysis and modeling in Section IV, Experimental Workloads, B-C.

The real time gathering of data can be seen in Woodbury and the analysis framework can be seen in Stewart in the cited sections above.

It would have been obvious to one of ordinary skill in the art at the time of the invention to gather data from an actual system in real-time, as discussed in Woodbury, for the analysis in Stewart in order to monitor an actual system as it runs.

Regarding Claim 25:

The reference discloses The method of claim 24, wherein the framework is executed from within a third-party application. **(Stewart. Paragraph 116)**

Regarding Claim 28:

The reference discloses A method for modeling and analyzing a plurality of computing workloads the method comprising

specifying a data and model flow for monitoring a computer system;

invoking a modeling and analysis utility, wherein the data and model flow defines performance data that is dynamically populated in a measurement object in response to a polling inquiry from a modeling module, the measurement object comprising updated performance data associated with the operation of a computer system, the computer system comprising at least one physical processor and physical storage, the computer system executing a plurality of computing workloads; and

models that are executed periodically using the performance data to compile analysis data representative of results from one or more of the models wherein output data from a first model serves as input data for a second model in a hierarchy of models; and

receiving a representation of the analysis data from the modeling and analysis utility, in response to an event.

The Stewart reference discloses data collection (Abstract), gathering performance data (Paragraph 19-21), data analysis (Paragraph 19-21) as well as a framework to manage the data collection (Figure 3, and its corresponding description).

The Stewart reference does not explicitly disclose dynamically populating the data through polling of a computer system. The Examiner notes that this distinction lies only in that Stewart utilizes data gathered from a system which is then simulated and then the simulation of the system is modeled and analyzed rather than as Applicants have argued gathering data directly from an actual system.

Woodbury teaches, on page 216 left column, the workload of a real-time system which is then analyzed through polling, Section III.

Woodbury further teaches the data analysis and modeling in Section IV, Experimental Workloads, B-C.

The real time gathering of data can be seen in Woodbury and the analysis framework can be seen in Stewart in the cited sections above.

It would have been obvious to one of ordinary skill in the art at the time of the invention to gather data from an actual system in real-time, as discussed in Woodbury, for the analysis in Stewart in order to monitor an actual system as it runs.

Stewart in view of Woodbury do not explicitly disclose a "real-time graphical representation of the analysis data."

It would have been obvious to one of ordinary skill in the art at the time of the invention to graphically plot the result data provided by **Stewart** in order to allow for user simplicity.

Regarding Claim 29:

The reference discloses The method of Claim 28, wherein the event comprises analysis data that fails to satisfy a threshold value. **(Stewart. Paragraph 21)**

Regarding Claim 30:

The reference discloses The method of Claim 28, wherein the event comprises a user request, the modeling and analysis utility presenting the graphical representation of the analysis data to a user by way of a user-defined plotting module. **(Stewart. Page 3, Problem Spec Sample. Figure 3 and its corresponding description)**

Stewart and Woodbury do not explicitly disclose the modeling and analysis utility presenting the graphical representation of the analysis data to a user by way of a user-defined plotting module.

However, it would have been obvious to one of ordinary skill in the art at the time of the invention to graphically plot the result data provided by **Stewart** in order to allow for user simplicity.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. All Claims are rejected.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAIF A. ALHIJA whose telephone number is (571)272-8635. The examiner can normally be reached on M-F, 11:00-7:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamini Shah can be reached on (571) 272-22792279. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Kamini S Shah/
Supervisory Patent Examiner, Art Unit 2128

SAA

August 28, 2008